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8 *Jeffrey Patterson, Lavert Taylor and Brian Williams*

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10 **IN THE UNITED STATES DISTRICT COURT**
11 **FOR THE DISTRICT OF NEVADA**

12 PAUL SCOTT KLEIN,

13 Plaintiff,

14 v.

15 CLARK COUNTY SCHOOL DISTRICT, et al.,

16 Defendants.

Case No. 3:08-cv-00191-LRH-VPC

**MOTION FOR ENLARGEMENT OF TIME
FOR DEFENDANT LAVERT TAYLOR TO
RESPOND TO INTERROGATORIES AND
REQUEST FOR PRODUCTION OF
DOCUMENTS
(SECOND REQUEST)**

17 Defendants James Brill, Cheryl Burson, Michael Maxfield, Jeffrey Patterson, Lavert Taylor, and
18 Brian Williams, by and through counsel, Adam Paul Laxalt, Attorney General of the State of Nevada,
19 and Erin L. Albright, Deputy Attorney General, hereby file this motion for enlargement of time for
20 Defendant Lavert Taylor to Respond to Interrogatories and Request for Production of Documents.

21 This motion is based on the following Memorandum of Points and Authorities and all papers
22 and pleadings on file herein.

23 **MEMORANDUM OF POINTS AND AUTHORITIES**

24 **I. INTRODUCTION**

25 Defendant Lavert Taylor requests this Court enlarge the time to respond to Plaintiff's discovery
26 request to August 13, 2018.

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1 **II. RELEVANT FACTS**

2 Plaintiff served Defendant Lavert Taylor with "Plaintiff's Interrogatories and Request for
3 Production of Documents Directed to Defendant Lavert Taylor" on May 8, 2018. The discovery
4 requests seek information from June 5, 2007.

5 The documents necessary to respond to the discovery requests, if any, are in storage. A request
6 for the documents has been made; however, the documents will not be provided to Defendant Lavert
7 Taylor before the deadline to respond to the discovery requests.

8 **III. ARGUMENT**

9 The Court may enlarge the period of time for an act to be performed after the expiration of the
10 specified period of time in which the act was to be done where the failure to act was the result of
11 excusable neglect. NRCP 6(b)(2). The Supreme Court has used the following guideposts for
12 determining whether neglect is "excusable:" the danger of prejudice to the [non-movant], the length of
13 the delay and its potential impact on judicial proceedings, the reason for the delay, including whether it
14 was within the reasonable control of the movant, and whether the movant acted in good faith." *Pioneer*
15 *Inv. Svcs. Co. v. Brunswick Assocs. Ltd. P'ship*, 507 U.S. 380, 395 (1993) (footnote omitted) (citing *In*
16 *re Pioneer Inv. Svcs. Co.*, 943 F.2d 673, 677 (6th Cir. 1991)).

17 Defendant Lavert Taylor asserts good cause exists to extend the deadline for him to respond to
18 Plaintiff's discovery requests. The time to respond to the discovery requests has not expired.
19 Defendant Lavert Taylor seeks an enlargement of time to file to respond to Plaintiff's discovery
20 requests because the documents necessary to respond to the requests, if any, are in storage and will not
21 be provided to defendant prior to the deadline for his discovery responses. Therefore, Defendant Lavert
22 Taylor respectfully requests this Court extend the deadline to respond to Plaintiff's discovery requests
23 to August 13, 2018. The requested extension is done in good faith and not made for the purposes of
24 delay or to prejudice Plaintiff.

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1 **IV. CONCLUSION**

2 Based on the foregoing, Defendant Lavert Taylor respectfully requests this Court enlarge the
3 time to for him to respond to Plaintiff's discovery requests to August 13, 2018.

4 DATED this 11th day of July, 2018.

5 ADAM PAUL LAXALT
6 Attorney General

7 By:

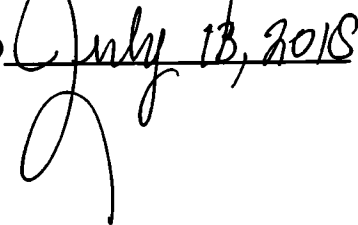

8 ERIN E. ALBRIGHT
9 Deputy Attorney General
10 State of Nevada
11 Bureau of Litigation
12 Public Safety Division

Attorneys for Defendants

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14 IT IS SO ORDERED


15 U.S. MAGISTRATE JUDGE

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17 DATED


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CERTIFICATE OF SERVICE

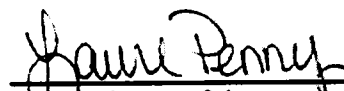
I certify that I am an employee of the Office of the Attorney General, State of Nevada, and that on this 11th day of July, 2018, I caused to be deposited for mailing a true and correct copy of the foregoing, **MOTION FOR ENLARGEMENT OF TIME FOR DEFENDANT LAVERT TAYLOR TO RESPOND TO INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS (SECOND REQUEST)**, to the following:

Paul Klein, #30918
High Desert State Prison
P.O. Box 650
Indian Springs, NV 89070

Via email:

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